

**BOARD OF PUBLIC WORKS AND SAFETY
CITY OF FRANKFORT, INDIANA**

RESOLUTION NO. 16-10

A RESOLUTION ADOPTING TITLE VI IMPLEMENTATION PLAN AND NON-DISCRIMINATION POLICIES REGARDING PUBLIC ACCESS TO FACILITIES, PROGRAMS, ACTIVITIES AND SERVICES

WHEREAS, the City of Frankfort, Indiana, prohibits discrimination and exclusion of individuals from its municipal facilities, programs, activities and services based on the individual's race, color, national origin, sex, age, disability, low income status, sexual orientation or limited English proficiency; and

WHEREAS, the City of Frankfort, Indiana desires to affirm its commitment to providing meaningful opportunities and access to municipal facilities, programs, activities and services and to comply with all laws including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; as amended; and the American Disabilities Act of 1990, as amended;

NOW, THEREFORE, BE IT RESOLVED that the Title VI Implementation Plan And Non-Discrimination Policies (Regarding) Public Access To Facilities, Programs, Activities and Services Policy, a copy of which is attached hereto, is hereby adopted as the policy of the City of Frankfort, Indiana.

Adopted this 26 day of May, 2016.

CITY OF FRANKFORT
BOARD OF PUBLIC WORKS AND SAFETY

BY: Chris McBarnes
Chris McBarnes, Member

BY: Kenneth E. Estes
Kenneth E. Estes, Member

BY: James D. Siegfried, Jr.
James D. Siegfried, Jr., Member

ATTEST:

Judith E. Sheets
Judith E. Sheets, Clerk-Treasurer

Presented to me to the Mayor of the City of Frankfort for his approval pursuant to Indiana Code § 36-4-6-15 and 16, this 26 day of May, 2016 at 3:00 o'clock a.m./p.m.

Judith E. Sheets
Judith E. Sheets, Clerk-Treasurer

This Resolution having been passed by the legislative body and presented to me is approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16 (a)(1), this 26 day of May, 2016 at 3:00 o'clock ~~a.m.~~/p.m.

Chris McBarnes
Mayor of the City of Frankfort, Indiana

TITLE VI IMPLEMENTATION PLAN CITY OF Frankfort, INDIANA

NON-DISCRIMINATION POLICIES

PUBLIC ACCESS TO FACILITIES, PROGRAMS, ACTIVITIES & SERVICES POLICY

PART A - POLICY STATEMENT

I. General Commitment to Non-Discrimination

The City of Frankfort, Indiana prohibits discrimination and/or the exclusion of individuals from its municipal facilities, programs, activities and services based on the individual person's race, color, national origin, sex, age, disability, low income status, sexual orientation or limited English proficiency. The City of Frankfort, Indiana affirms its commitment to providing meaningful opportunities and access to municipal facilities, programs, activities and services in an effort to comply with all laws including: Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; and the Americans with Disabilities Act of 1990, as amended.

The City of Frankfort, Indiana will post a Title VI Notice to the Public at each facility that receives and/or provides programs, goods, &/or services to the public.

II. Persons with Disabilities

The City of Frankfort, Indiana is committed to including qualified individuals with disabilities in municipal services, programs and activities. For further information please see the City of Frankfort, Indiana's ADA Transition Plan.

III. Limited English Speaking (LEP) Persons

The City of Frankfort, Indiana is committed to providing persons with Limited English Proficiency (LEP) meaningful access and equal opportunity to participate in our services, activities and programs. The City of Frankfort, Indiana will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs and other benefits.

Which documents must be translated, when oral translation is necessary, and whether such services must be immediately available depend on many factors. As a result, the City of Frankfort, Indiana is committed to following the United States Department of Justice (USDOJ) guidance on making such determinations, which includes determining:

- 1) Number or Proportion of LEP Individuals
- 2) Frequency of Contact with the Program
- 3) Nature and Importance of the Program
- 4) Resources Available to the City of Frankfort, Indiana

This will be monitored and accomplished through the use of *language Identification Flashcards* made available through the *United States Census 2010*, additionally LEP and other disadvantaged encounters will be tracked by city personnel through the use of *Encounter Forms* placed at the front desk of each department. Each department head will determine how this policy is incorporated in their individual department and its needs.

IV. Contacting the City of Frankfort, Indiana

Individuals with requests for services, questions or complaints concerning the City of Frankfort, Indiana Non-Discrimination Policy on "Public Access to Facilities, Programs, Activities & Services Policy" should contact the City of Frankfort Title VI Coordinator. The Title VI Coordinator for the City of Frankfort, Indiana is:

John Large Title V1
Coordinator
301E Clinton St Frankfort In
46041. Phone 765-654-5278

PART B - NON DISCRIMINATION STANDARD OPERATING PROCEDURES

I. Elimination of Discrimination

The City of Frankfort, Indiana will continue to work to identify and eliminate discrimination on race, color race, color, national origin, sex, age, disability, low income status, sexual orientation or limited English proficiency. If discrimination is found to exist, the City of Frankfort, Indiana will implement appropriate policies, procedures or programs to eliminate the discrimination. Programs and procedures, include, but are not limited to: Limited English Proficiency access plan; extend contracting and subcontracting activities to Disadvantaged Business Enterprises (DBE) and non DBE minority and female owned business; and monitoring contractors and consultants for Title VI compliance.

II. Public Outreach

The City of Frankfort, Indiana is committed to providing the general public with information on the non-discrimination protections provided by Title VI, Section 504 and the ADA. The City of Frankfort, Indiana will pursue all available opportunities to educate the public on issues relating to discrimination under Title VI, Section 504 and the ADA. Public outreach may include, but is not limited to, posting the City of Frankfort, Indiana's non-discrimination policy in public locations, including the City of Frankfort, Indiana's non-discrimination policy in public notices as appropriate, and posting the City of Frankfort, Indiana's non-discrimination policy on the City of Frankfort, Indiana website.

III. Limited English Proficiency

The City of Frankfort, Indiana will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs and other benefits.

For any program or project receiving federal funds the City of Frankfort, Indiana will conduct a four part analysis to determine what, if any, limited English proficiency services will be required.

The four factors to be considered in determining the need and type of language assistance services are:

1. Number or Proportion of LEP Individuals
2. Frequency of Contact with the Program
3. Nature and Importance of the Program
4. Resources Available to the City of Frankfort, Indiana

If a review of the first two factors show that less than five percent (5%) of the intended beneficiaries of the program or project are limited English proficient, no language assistance measures will be developed for that program or project. This will be determined through *United States Census Bureau* data as well as a review of *Encounter Forms* completed by city personnel.

However, in an effort to ensure that persons with Limited English Proficiency have meaningful access and equal opportunity, the City of Frankfort, Indiana will accommodate any and all requests for oral or written translation services.

If more the five percent (5%) of the intended beneficiaries of the program or project are limited English proficient, the City of Frankfort, Indiana will review the nature and importance of the program or project to determine what language assistance measures should be developed for the program or project. The resources available to the City of Frankfort, Indiana should be considered in determining the appropriate language assistance measures. Language assistance measures may include, but are not limited to, oral translation services, including the use of a telephone interpreter line, and written translation services.

IV. Monitoring Contractors and Consultants

The City of Frankfort, Indiana will ensure that all federally funded contracts contain required Title VI assurances prohibiting discrimination in violation the City of Frankfort, Indiana's policy on non-discrimination. The City of Frankfort, Indiana will monitor in consultants and contractors for compliance with the City of Frankfort, Indiana's non-discrimination policy. The City of Frankfort, Indiana will promptly investigate any alleged claim of discrimination and will work with the consultant or contractor to obtain voluntary compliance with the City of Frankfort, Indiana's non-discrimination policy.

PART C - COMPLAINT PROCEDURE

Any person who believes that he or she, on the basis of race, color, national origin, gender, age, disability, religion, low income status, or Limited English Proficiency, has been excluded from or denied participation in, been denied the benefits of, or otherwise been subjected to discrimination in or under any program or activity receiving federal funding assistance in violation of Title VI of the Civil Rights Act of

1964, as amended and its related statutes, regulations and directives, may submit a complaint. The City of Frankfort Indiana assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

Complaint forms may be found on the City of Frankfort, Indiana's website. Individuals are not required to use the complaint form and may submit a complaint in any format that includes the name, address and telephone number of the individual complaining and brief description of the alleged discriminatory

conduct including the date of harm. An individual submitting a complaint alleging discrimination may include relevant evidence, including the names of witnesses and supporting documentation. A complaint must be signed by the complainant.

Complaint forms must be submitted within one hundred eighty (180) days of the date of the alleged discrimination. Complaint form should be directed to: John Large

Title VI Coordinator 301

E Clinton St

Frankfort IN, 46041

765-654-5278

Within sixty days of the receipt of the complaint, the Title VI Coordinator will conduct an investigation of the allegation based on the information provided and issue a written report of its findings to the complainant. The Title VI coordinator will try to obtain an informal voluntary resolution to all complaints at the lowest level possible.

Any person aggrieved by the findings of the Title VI Coordinator may, within fifteen (15) days of the receipt of the response of the Title VI Coordinator, file an appeal to the Office of the Mayor, within 15 calendar days after receipt of the appeal of the Title VI Coordinator's report, the Mayor or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the Office of the Mayor will respond in writing, and explain the position of the Mayor and offer a final resolution of the complaint.

These procedures do not deny the right of any individual to file a formal complaint with any government agency or affect an individual's right to seek private counsel for any complaint alleging discrimination.

Complaints may also be filed with the following governmental agencies:

Indiana Department of Transportation

Economic Opportunity Division

100 N. Senate Ave, Room N750 Indianapolis,
IN 46204

Phone: (317) 233-6511

Fax: (317) 233-0891

Indianapolis District EEOC Office

101 West Ohio Street, Ste 1900

Indianapolis, IN 46204

Phone: (800) 669-4000

Fax: (317) 226-7953

TTY: 1 (800) 669-6820

Indiana Civil Rights Commission

100 N. Senate Ave, Room N103

Indianapolis, IN 46204

Phone: (317) 232-2600

Fax: (317) 232-6560

Hearing Impaired: 1 (800) 743-3336



TITLE VI GRIEVANCE FORM

Today's Date: _____

Complainant: _____

Address: _____ City: _____ State _____ Zip _____

Telephone _____ E-Mail _____

Detailed Description of Violation and City Department Involved: _____

Requested Action by City to Correct Violation: _____

Has Complaint been filed with State or Federal Agency _____ YES _____ NO

Name of Agency: _____ Date Filed: _____

Contact Person: _____

Signature: _____

IF THERE ARE WITNESSES, PLEASE LIST NAMES AND ADDRESSES SEPARATELY.
